

HOUSE BILL 2581

By Todd

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 38, Chapter 8, Part 1, relative to the Tennessee peace officer standards and training commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 38-8-102, is amended by adding the following as a new subsection:

(d)

(1) A member of the commission who misses more than fifty percent (50%) of the scheduled meetings in a calendar year shall be removed as a member of the commission.

(2) The chair of the commission shall promptly notify the respective appointing authority of any member who fails to satisfy the attendance requirement as prescribed in subdivision (d)(1).

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following as a new section:

38-8-126.

(a) An officer certified pursuant to this part who is arrested for any offense shall report the arrest to the executive secretary of the commission within twenty-four (24) hours of the time the arrest was made, as contained in the arrest report.

(b) The law enforcement agency making the arrest, if known that the person arrested is a certified officer, and the law enforcement agency employing the officer at the time of the arrest, if known the officer has been arrested, shall also notify the executive secretary of the arrest within the time period prescribed in subsection (a).

(c) The commission may revoke or suspend the certification, withhold a pay supplement pursuant to § 38-8-111(e)(2), or take any other lawful action against:

(1) An officer certified under this part who is arrested for any offense and fails to notify the executive secretary of the arrest within the time period prescribed in subsection (a);

(2) The chief officer of a law enforcement agency who is required to notify the executive secretary of an arrest pursuant to this section and who knowingly fails to provide such notification within the time period prescribed in subsection (a) or within twenty-four (24) hours of gaining knowledge of the arrest, whichever is later; and

(3) An officer certified under this part and employed by a law enforcement agency who is required to notify the executive secretary of an arrest pursuant to this section and who knowingly fails to notify the chief officer of the officer's employing agency or to take action reasonably calculated to notify the chief officer within twenty-four (24) hours of the time the arrest was made, as contained in the arrest report, or within twenty-four (24) hours of gaining knowledge of the arrest, whichever is later.

SECTION 3. Tennessee Code Annotated, Section 38-8-111(e), is amended by designating the existing language as subdivision (e)(1) and adding the following as a new subdivision:

(2) The commission may, in addition to or in lieu of any other lawful action, withhold the next pay supplement due an officer certified under this part if the law enforcement agency employing the officer at the time of the arrest or the arresting officer knowingly fails to notify the executive secretary of the arrest as prescribed in § 38-8-126(b).

SECTION 4. This act shall take effect July 1, 2016, the public welfare requiring it.